

HISTORIC PRESERVATION COMMISSION

Minutes

March 11, 2004

Salisbury, North Carolina

The Historic Preservation Commission for the city of Salisbury met in regular session on Thursday, March 11, 2004, in the Council Chambers at the City Hall, 217 S. Main St.

The meeting was called to order by the Chairman, Charles Paul. In addition to Mr. Paul the following members were present: Ronald Fleming, Mike Fuller, Mark Perry, Jeff Sowers, Kathy Walters, and Michael Young.

Absent: Richard Sylvester

Certificates of Appropriateness

H-11-04 **Corner W. Church St. & N. Liberty St.** – City of Salisbury, owner Joe Morris, applicant – Certificate of Appropriateness for construction of Freedman's Memorial at the Oak Grove/Freedman's Cemetery

Joe Morris, Planning & Community Development Manager, for the city of Salisbury, and Sam Reynolds, Landscape Architect from Raleigh NC, were sworn to give testimony for the request.

Staff presented slides.

Mr. Morris began by stating that he wanted to clear up the following misconceptions about the project:

- The Salisbury City Council has not rubber-stamped the proposal.
- The expense associated with the use of a crane that would delicately remove a portion of the stone wall (should the proposal go forward) will not approach the cost of \$125,000; rather, it is anticipated that the cost will be a small fraction of the overall \$215,000 budget, and using mostly privately raised funds.
- The demolition of the sidewalk adjacent to the site by city crews has not be conducted under the offenses
- The Certificate of Appropriateness for the east square streetscape improvement project was issued December 13, 2001 and included the demolition and curb realignment plan that is currently being implemented. Changes to the landscaping and paving patterns that are being suggested are subject to consideration at the present hearing and has no effect on the work that is currently underway.
- The notion that there are no or maybe just a few African Americans buried on the site defiles a careful research conducted by Kevin Cherry, formerly affiliated with the History and Genealogy room at the Rowan Public Library, and Jonathan Reynolds, former Professor of West African History at Livingstone College.
- An effort will be made to appropriately address the old Dixonville Cemetery located on Old Concord Road once the Oak Grove/Freedman's Cemetery project is completed.

Mr. Morris continued testimony by informing the Historic Preservation Commission of the reasons an application for the project has been resubmitted.

He described the design proposal from Jerome Meadows of Meadowlark Studio, Savannah GA issued on July 10, 2003.

Mr. Morris informed the Historic Preservation Commission that although a Certificate of Appropriateness was issued on July 10, 2003, to Jerome Meadows of Meadowlark Studio, Savannah GA, an inability to reconcile contractual concerns with Mr. Meadows led to his withdrawal from the project. The withdrawal, which led to Maggie Smith's willingness to re-engage the project, was welcomed by the Oak Grove/Freedmen's Memorial Committee because of the high level of support for her original proposal.

Joe Morris further informed the Commission that he had spoken with Paul Fomberg of the State Historic Preservation Office about the project. He stated that the ruling made by the Commission would be shared with the State Historic Preservation Office for their comments only; they would not have the authority to over-rule the decision made. He also informed them that the project would receive a grant from the National Endowment for the Arts (NEA).

Sam Reynolds began his testimony of design considerations by stating that the original idea of the project was to bring honor and respect to the cemetery. This was to be done by continuing the wall as it currently is along the edge of Church St. to the corner of Liberty St., and then wrap the existing concrete wall to cut through the cemetery with the same stone, providing a place for poems and inscriptions, as well as places in which to remember those who were buried. Slides were shown of the existing concrete wall with the proposed granite stone wall wrapping around in front of it, and of the new proposed stone wall that would run along the cemetery.

Mr. Reynolds testified that the original idea was that the cemetery be simply a place to view without access, but the committee came back with the request that access be allowed. He said they are currently in the stages of re-design and have included a small opening in the plan. From the plan review he indicated at the intersection of Liberty and Church St. a small opening in the wall where a small amount of pavement would intrude into the cemetery allowing access. He said they also looked again at the separation between the two cemeteries and decided that the reuse of some of the stone from the existing wall for the new wall would be appropriate. He stated that in no way did they intend to remove the wall that was there. "We were simply reusing some of the stone; it is being used on the site, and the wall that is currently there will still be there."

Mr. Reynolds informed the Commission that in giving honor and respect to the site the pattern of the sidewalk in the intersection would be of West African textile design.

He continued by showing the elevation of the existing wall which he stated is two courses tall, except at the corners where it will be three or four courses because of a dip in the ground.

The proposal, he testified, is to remove just the top course of stone. In describing the construction technique, Mr. Reynolds stated that cranes will be set on either side of the wall so that no construction traffic would go on either cemetery. The stones would be picked up and placed immediately onto the prepared footing, replacing the cap after each course of stone is removed. He said the finished appearance of the wall would be as it is now.

In response to a question from Kathy Walters in reference to the sidewalk design, Joe Morris stated that concrete pavers of various colors would be used to construct the design. Since the intersection is somewhat elevated, he said, the pattern could easily be discerned.

Ms. Walters also questioned why new granite would not be used for the wall. Mr. Reynolds testified that a decision was made to reuse a course of stone from the wall rather than new granite for 2 reasons: (1) in order to continue the same appearance of the wall along Church St. which could only be done by using the same stone; and (2) in order to have a symbolic lowering of the wall.

Charles Paul stated that the use of the original stone is good as far as appearance, but it would obscure the contrast that could be more apparent with the use of new stone. Kathy Walters read from the Secretary of Interior Standards for Rehabilitation, #9: *the new work shall be differentiated from the old and shall be compatible with mass and size scale and architectural features to protect the historic integrity of the property.* However, she continued, the Design Guidelines state that there should be a differentiation between the new from the old. She suggested that if new granite was used along Church St. both purposes could be accomplished

Charles Paul voiced his concern for preserving the original construction so that the future generation would know how the wall looked before any changes were made. Mr. Reynolds stated that all changes would be inscribed on the wall to be there forever in stone.

Mr. Reynolds named the following differences proposed for the new wall: (1) there would be a seating wall (2) it would be 2 courses wide which changes the dimensions, (3) a new cap would be constructed.

Michael Young stated that Paul Fomberg also has concerns with re-using stone from the existing wall into the new wall because it would not differentiate between what was originally there and what is proposed.

In response to a question from Charles Paul, Mr. Reynolds stated that the stones would not be changed in any way but used just as they are, and could be marked to identify the order in which they came off the wall.

John Laughlin, 209 W. Bank St., was present to speak in opposition of the request.

Mr. Laughlin presented pictures taken from the inside of the cemetery in order to show that if a course of stone was removed, the appearance from inside the cemetery would look as if there was no wall; yet, from the outside it would appear that the wall was still there.

Ginny Sparks, 200 S. Ellis St., spoke in opposition to the request, and began by listing her credentials as a preservationist.

She stated that her concern is the proposal for the removal of approximately 60 ft. of granite from the Old English cemetery. She gave a history of the site, naming some of the founders from the county and state who are buried there. She continued by stating that the cemetery, paid for by William Gates, originally had a wooden fence. When William Gates died in 1844, he left \$100 to pay for a granite wall to replace the wooden fence; however, the bequest was not enough, so the wall was not completed until 1855 with local funding. She stated that from her research there were only 2 recorded burials on the other side of the wall - a Black man and a young Black girl. This information leads her to believe that the wall was built only to protect and enhance the property, not as a dividing line. Ms. Sparks quoted guidelines from Section 2 of the Secretary of Interior Standards for Rehabilitation, and also sections from the Historic District Design Guidelines. She closed by requesting that the Commission follow their own guidelines in making a decision.

Others speaking in opposition of the request were as follows:

- Luther Sowers –suggested that the African pattern be placed on the wall rather than in the intersection.
- Rosalind Laughlin, 209 W. Bank St. - has 8 family members buried in the Old English Cemetery; no objection to the opening in the wall but suggested making the opening similar to the cemetery's gate on the Church St. side in size and design.
- Chad Morgan, 121 S. Caldwell St. - stated that the cemetery should be left as it is - a memorial to the people who are buried there.
- Diane Dillon Hooper, Executive Director of Historic Salisbury Foundation - stated that the Foundation supports the memorial but remains bullish on protecting historic aspects of the wall. She read the guidelines that should be followed by the Commission.
- Ann Brownlee – stated that it is very clear in the National Register of Historic Places guidelines that alteration to any aspect of the cemetery – graves, monuments, walkways, vegetation, or enclosing walls - alter the historic integrity of the site, and could cause the loss of its National Registry eligibility.

Those who spoke in support of the request were as follows:

- Arlette Bingham Massey – stated that from her own research has found that the cemetery was a burial ground for Native Americans, slaves and freemen in the late 1770's, at which time there was no fence; shared a letter written by a father, a historian, to The Salisbury Post, in reference to the sale of the Oak Grove cemetery; named family members who were buried there.
- Dr. Murray Edwards, pastor, Soldiers Memorial AME Zion Church – stated that in as much as the graveyard at one time was “one” why not now make it “one” again.
- Rev. Nilous Avery, pastor, Mt. Zion Baptist Church – asked that the Commission consider the Freedman's proposal in an effort to build up lives, not walls.
- Dr. Ada Fisher - has served as a member of Preservation North Carolina for more than 7 years - stated that an effort must be made to recognize the more than 100 bodies buried as well as the bodies that have been moved somewhere else.
- Robert Crum, 116 E. Council St. - an artist who has lived in Salisbury for 2 years - stated that he has had a concern about the need of repair for some of the stones in the Old English cemetery and is leading a team to do so; noted that there is already an opening in the granite wall opposite North Church St. which has been said was to allow easier access for lawn mowers, so precedence has already been set.
- Catrelia Hunter, Freedman Cemetery committee member – stated that the symbolic nature of breaking down walls is important in bringing people together for a brighter future together.

Following the comments from persons in opposition to and in support for the request, both Joe Morris and Sam Reynolds agreed that it was the Commission's responsibility to determine what is appropriate; therefore, if the Commission wanted them to investigate an alteration of the design they would do so.

Charles Paul opened discussion by the Commission. He stated that one concern of the Commission has to do with the statement made by Michael Young relative to the fact that history may not be accurately represented for future generations with the present proposal. He said if the wall is not recognized to be the way it was in the past then the change would not be fully appreciated, especially if the existing stone is reused.

Charles Paul reiterated the fact that the Commission is charged with interpreting and applying the guidelines. He read from the Secretary of Interior Standards for Rehabilitation guideline #2 which reads: *The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided*; also, #9 which reads: *New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property.*

The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Referring to guideline #9, Mr. Paul stated he thinks the intent of the requirement is that future generations be able to tell what has been changed, which can be accomplished without modifying the original wall.

Comments from the other Commission members were as follows:

- **Kathy Walters** stated that she has severe reservations about disrupting the remainder of the wall to accomplish another building purpose. She said that she had no problem with the opening but she does with taking away a whole course of stone.
- **Ron Fleming** stated that he has a problem with the removal of the whole row of stone, as well as the opening, because it would disrupt the character of the historic integrity of the entire cemetery.
- **Michael Young** stated that there are clear guidelines in the Secretary of Interior Standards for Rehabilitation which address the proposal for the wall, and agrees with other Commission members that removing a course of brick out of the wall is not the best course of action. He likes the symbolism of removing some of the stone in order to create a passageway. He also appealed to those with interest in the restoration of the Old English cemetery to speak with Robert Crum following the meeting and make a contribution for that project which is currently underway.
- **Jeff Sowers** stated that he agrees with the comments previously made by the Commission members in that there needs to be a passageway between the 2 cemeteries.
- **Mark Perry** stated that there have been many changes in the site since 1770 when it was one burial ground; namely, a wooden fence, granite wall, the intrusion of 2 different roads, the reburial of bodies in another cemetery, the loss of gravestones and markers from one part of the initial burial ground, a change of ownership. He agrees with Ms. Massey who said, "it is one historical site and should be preserved as one." He feels that the proposal still has enough of the wall left to show that there was a substantial wall there, and agrees that by lowering the wall there would be more visibility between the 2 sites. He closed by saying, "I will vote in favor of the proposed wall alteration with the observation that modification or alteration in this case does not mean destruction of our tangible history."

Charles Paul explained to Joe Morris and Sam Reynolds that they now have the option to decide if they would like the Commission to vote on the application as presented or to come back to another meeting with a different proposal.

Denny Mecham, a member of the Freedman Cemetery committee, stated that if the size of the opening in the wall was the problem, the designers could make another proposal with a compromise for a smaller opening.

Charles Paul named the following as concerns that would need to be considered: (1) differentiation between the new and the old (2) extreme change to the existing wall, and (3) preserving historic character.

Jeff Sowers stated that he agrees with the suggestion made that some of the African pattern proposed for the intersection be used some place else on the memorial. Joe Morris responded by asking that the Commission members go by the intersection to look at it. He said that because of the elevation, it could be viewed in a plane that they would probably be able to visualize that the pattern proposal could work.

In discussing withdrawal of the application, Joe Morris asked if there would be an opportunity to have a discussion with a committee about the options before coming back with another proposal.

Charles Paul informed Joe Morris that the Commission's role would be to advise if it seemed that any of the guidelines were being used in a way that might be in conflict with the plan.

Joe Morris agreed to the option of withdrawing the application in order to look at making changes.

H-12-04 330 S. Fulton St. – Clay & Martha Smith, owner – Certificate of Appropriateness to remove White picket fence around front and side yard; replace with ornamental iron fence, approximately same height, Black in color

Clay Smith was sworn to give testimony for the request.

Staff showed slides.

Mr. Clay testified that the new Black ornamental iron decorative fence would be 3 ft. in height with a single 5' gate located in the front and another gate on the side.

In response to a question from Michael Young, Mr. Smith said that the existing wood fence is not original to the house.

Michael Young made the following motion: "I move that the Commission find the following facts concerning application #H-12-04 – that Clay Smith, owner of 303 S. Fulton St. appeared before the Commission and sought a Certificate of Appropriateness to remove the White picket fence around the front and side yard, replacing it with a Black ornamental iron fence of approximately the same height; that Diane Hooper, director of the Historic Salisbury Foundation and Foster Owen appeared before the Commission to support this request; this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 4 – Site Features and District Setting – Fences and Walls, pages 54-57, guidelines 1,2,3, 5 and 7 of the Residential Historic District Design Guidelines, with no mitigating factors I; therefore, move that a Certificate of Appropriateness for Application #H-12-04 be granted to Clay and Martha Smith, owners of 303 S. Fulton St. to make the changes detailed in the application."

Mark Perry seconded the motion; all members present AYE.

H-13-04 **226 S. Jackson St.** – Historic Salisbury Foundation, owner Diane Hooper, applicant – Certificate of Appropriateness to re-roof rear, one-story section of house using metal shingles as on main house, painted Black as on main house

Diane Hooper was sworn to give testimony for the request. Staff presented slides.

Ms. Hooper presented a sample of the original metal shingle that is currently on the main roof of the structure, and will be used on the kitchen attachment. The shingles will be painted Black (if the new shingles are unpainted) to match the existing.

There was no one present to speak in support of or opposition to the request.

Mike Fuller made the following motion: “I move that the Commission find the following facts concerning application #H-13-04 – that Diane Dillon Hooper, applicant for Historic Salisbury Foundation, owner of 226 S. Jackson St., appeared before the commission and sought a Certificate of Appropriateness to re-roof the rear, one-story section of the house, using metal shingles painted Black as are on the main house; that no one appeared before the Commission to support or oppose this request; this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 2 – Changes to Buildings – Roofs, pages 10-11, guideline 3 of the Residential Historic District Design Guidelines; there are no mitigating factors; therefore, I further move that a Certificate of Appropriateness for application #H-13-04 be granted Diane Dillon-Hooper, applicant for Historic Salisbury Foundation, owner of 226 S. Jackson St., to make the changes detailed in the application.”

Kathy Walters seconded the motion; all members present voted AYE.

H-14-04 **306 N. Church St.** – Soldiers Memorial A.M.E. Zion Church, owner Murray Edwards, applicant – Certificate of Appropriateness to replace existing 3-foot wide concrete sidewalk with 4-foot wide brick pavers walk in Pine Hall English Edge Red or Full Range; approximately 665 square feet

Murray Edwards, Pastor, was sworn to give testimony for the request. Staff presented slides.

Dr. Edwards informed the Commission that the church had planned to replace the sidewalk at a later time, but because Duke Power will be replacing a part of the sidewalk that was removed for their own repairs, the church has decided to complete the entire project.

He testified that they would like to use brick that will match the brick sidewalks on Church and Liberty St., as well as downtown.

There was no one present to speak in support or opposition to the request.

Jeff Sowers made the following motion: “I move the Commission find the following facts concerning application #H-14-04 – that Murray Edwards, applicant for Soldiers Memorial A. M. E. Zion Church, owner of 306 N. Liberty St., appeared before the Commission and sought a Certificate of Appropriateness to replace existing 3’ wide concrete sidewalk with a 4’ wide brick walk in either Pinehall English Edge Red or 4-range; that no one appeared before the

Commission to support or oppose the request, this request should be granted based on The Interior Standards for Rehabilitation and Chapter 4 Site Features and District Setting –Parking and Paving, pages 57-58, guidelines 1 and 3 of the Non-Residential Design Guidelines; there are no mitigating factors involved; therefore, I further move that a Certificate of Appropriateness for application #H-14-04 be granted to Murray Edwards, applicant for Soldiers Memorial A. M. E. Zion Church, owner of 306 N. Liberty St., to make the changes detailed in the application.”

Mike Fuller seconded the motion; all members present AYE.

H-15-04 **405 S. Fulton St.** – Margarette Clegg, owner; Richard Gordon Senter, applicant – Certificate of Appropriateness to renovate the residence (see attached proposal) remove existing carport and covered walkway, remove 2 small trees, construct a garage/shop at rear of property and construction of a fence around rear of property

Richard & Barbara Senter were sworn to give testimony for request.

Staff presented slides.

Dr. Senter informed the Commission that they are proposing to buy and renovate the house at 405 S. Fulton St.

The testimony began with the presentation of items as listed on the submitted proposal. Dr. Senter described a central chimney that they would like permission to tear down just below the roof, and rebuild. The new chimney would be rebuilt with the identical brick that is located on the property. He testified that he has some concern about the safeness of a hanging “flu” chimney over the kitchen in the rear of the house that sticks out of the roof but does not continue to the floor which he would like permission to move.

From the slides a covered walkway added in 1942 was shown which he would like to remove; also removal of the concrete surfaces which will be replaced with grass (excluding the front walkway).

Dr. Senter indicated from the slides an existing enclosed back porch area used as a sunroom. He stated that he would like to remove the existing rear wall and replace with a French door and window, and wooden siding to match the rest of the house. The window will match the other windows in the house as closely as possible. The color of the foundation would be changed from Red to Dark Gray.

He testified that a small 5’x8’ back porch is proposed for the rear of the house coming off from the sunroom. He showed the relocation of the wooden stairs that would have 4 fluted square columns that will resemble the columns on the front of the house.

Dr. Senter continued his requests with the proposal for a 1-car garage with a workshop located 20 ft. from the rear property line and 5 ft. from the left property line. He testified that the building would resemble the main house with a Gray Slateline composition roof with White wooden siding. A 5’ x 17’ porch will be added to match the front porch on the main house, also with square fluted columns and shutters. Wooden siding and shingles on the garage will match the main house. Site plans were presented. The location for a patio was shown, and will be either slate or brick. A 4’ walkway will be constructed of a material other than plain concrete, probably brick pavers.

Additionally, Dr. Senter testified that a 42” metal fence will be constructed to enclose the back yard. From the slides he indicated the location for the fence as well as for the 2 gates.

In response to a question from Michael Young, Dr. Senter showed from the slides the location of the existing heating and air conditioning unit which serves the 1s floor of the house. An additional unit will be installed in the attic.

Daniel Almazan, adjoining property owner at 319 W. Horah St., spoke in support of the project but also voiced concern about the garage which would be located 7 ft. from his house. He asked if it would be possible to move the garage to the other side of the lot. He also stated that because of the proximity of his deck that goes to the side door of the house being close to the alley, the turning radius into the garage at the proposed location would be very tight.

Dr. Senter stated that the location for the garage was chosen because there would be more space for a formal yard and also because it would block the open alley.

Following further discussion, Dr. Senter stated that as a compromise, he would be willing to place the garage right in the middle. He asked Mr. Almazan if that would be good for him. Mr. Almazan stated, “With that compromise I’d be able to fully support the plans for renovation.”

For clarity, Dr. Senter testified that he was indeed consenting to move the garage to the center of the property and 5 ft. closer to the house.

Foster Owen, adjoining property owner on 2 sides, spoke in full support of the project, and stated that both he and his wife are excited about plans.

Commission member Mike Fuller also spoke in support of the project as a neighbor and property owner in the West Square District.

There being no other testimony regarding the request, Mark Perry made the following motion – “move that the Commission find the following facts concerning application #H-15-04 - that Dr. Richard Gordon Senter and Barbara Senter, applicant for Margarette Clegg, owner of 405 South Fulton Street, appeared before the Commission and sought a Certificate of Appropriateness to renovate the residence in accordance with a detailed 24-point proposal, including the removal of an existing carport and covered walkway, removal of 2 small trees, removal of an existing concrete driveway to be replaced with a small concrete drive and graveled visitor parking area, construct a 4’ by 8’ back porch, construct a one-story garage/workshop, and construct a fence around the rear of the property; that Daniel Almazan appeared before the Commission to in part to support and in part to oppose the application, that Foster Owen appeared before the Commission to support the application; this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 2 Changes to Buildings - Roofs, pages 10-11, guideline 3; Chapter 2 Changes to Buildings - Garages and Outbuildings, pages 22-23, guidelines 8 and 9; Chapter 2 Changes to Buildings - Masonry, pages 24-25, guidelines 2 and 3; Chapter 3 New Construction and Additions - Additions, pages 44-45, guidelines 1-10; Chapter 4 Site Features and District Setting - Driveways and Offstreet Parking, pages 58-59, guidelines 1-3 and 9-11; Section 4 Site Features and District Setting - Fences and Walls, pages 54-57, guidelines 7 and 10 of the Residential Historic District Design Guidelines; therefore, I further move that a Certificate of Appropriateness for application H-15-04 be granted, as amended, to Dr. Richard Gordon Senter and Barbara Senter, applicant for Barbara Clegg at 405 S. Fulton St. to make the changes detailed in the application with the following changes agreed to by the applicants (1) that the foundation be painted a Dark Gray (2) that a 42” metal fence be placed where indicated in

the rear yard (3) move the garage 23 ft. toward Monroe St in the rear yard and 5 ft. further away from the alley (4) change the 2 existing doors on the back porch to 1 door, and the existing windows to 1 window.”

Mike Fuller seconded the motion; all members present voted AYE.

H-16-04 415 W. Marsh St. – Household Financial %Snipes Realty, owner – Brent Snipes, applicant – Certificate of Appropriateness to remove old masonite siding and replace with wood lap board; paint exterior trim; remove old deck (rear) and replace; repair damage to garage (front and rear); remove old garage in rear

Brent Snipes, applicant, was sworn to give testimony for the request.

Staff presented slides.

Mr. Snipes began by presenting proposed colors for painting the exterior of the house. He continued, stating that the bricks on the garage are separating. He would like to remove all the brick and re-brick; a sample of which was presented.

He testified that an addition on the back side of the house has masonite siding which he would like to remove and replace with wooden lap siding. A deck and shed located also located on the rear of the house would be removed. He stated that beyond the sliding-glass door leading into the deck is a small 18” hallway with another sliding-glass door which will be torn off to the original outside wall. The inside sliding door will be replaced with French doors opening onto the deck and steps with railing going down into the back yard. The deck will not be painted.

Mr. Snipes further testified that a dilapidated garage located in the rear yard would be demolished.

There was no one present to speak in support or opposition to the request.

Kathy Walters made the motion as follows: “I move that the Commission find the following facts concerning application #H-16-04 – that Brent Snipes, applicant for Household Finance/Snipes Realty, owner of 415 W. Marsh St., appeared before the Commission and sought a Certificate of Appropriateness to remove masonite siding and replace with wood lapboard, paint exterior trim, remove and replace old rear deck, remove and replace damaged masonry on the front and rear of garage, and remove the old garage in the rear of the property; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation, and Chapter 2- Changes to Buildings – Masonry, pages 24-25, guidelines 1,2,3,5 and 7; Chapter 2 – Changes to Buildings – Exterior Walls and Trim, pages 12-13, guideline 3; Chapter 2 – Changes to Buildings – Paint, pages 30-31, guideline 8; Chapter 3 – New Construction and Additions – Decks, pages 46-47, guidelines 1-9 of the Residential Design Guidelines; therefore, I further move that a Certificate of Appropriateness for application #H-16-04 be granted to Brent Snipes, applicant, to make the changes detailed in the application.”

Ron Fleming seconded the motion; all members present voted AYE.

H-17-04 **SE intersection of E. Bank St. & S. Main St.** – City of Salisbury, owner – Lynn Raker, applicant – Certificate of Appropriateness for improvements to existing parking lot including (1) closing 2 driveways on Main St. and westernmost driveway on Bank St. (2) creating new driveway on Main St. (3) improving easternmost driveway on Bank St. (4) delineating parking and planting areas with new curb and gutter (5) landscaping including trees, shrubs, and groundcover (6) adding 3 decorative light posts (7) recoating and striping pavement

Lynn Raker was sworn to give testimony for the request representing the City of Salisbury

Staff showed slides.

Ms. Raker began by informing the Commission that she would be presenting a proposal different than what had been mailed out.

She stated that the proposal is for improvements to the parking lot at the corner of E. Bank & S. Main St., next to the Rowan Health and Fitness Center, and that the purpose for improvements is to accommodate a downtown Farmer's Market. It would not be a permanent site, she said, as the same site is the location for the proposed new Civic Center. The Farmers Market could be on the site for approximately 3-4 years. She asked that the members bear in mind that the changes would be done differently than other streetscape improvements because when the Civic Center is built everything more than likely would be torn out.

The site as it is now, she testified, has 4 driveways, which were shown from the slides.

Ms. Raker stated that in order to provide access for the farmers' trucks to get in easily and to follow DOT's request to align the driveway with the aisle of the parking, 2 driveways on Main St. would be removed, and a new driveway put in. Concrete sidewalks and curbs closest to the intersection would be replaced as the existing. The new driveway would be closer to the width of a standard driveway than the existing one which is narrow due to being bordered by a light pole and tree pit, both of which will be moved. In case the cost of moving the light pole is cost prohibitive, Ms. Raker asked that members consider the possibility that the driveway may need to adjust somewhat right or left.

In response to a question from Mike Fuller, Ms. Raker stated that one problem in adjusting the driveway is that the parking areas cannot be shifted. She stated that she would have to work with DOT to get their permission to let the alignment be a little obscured.

The pavement of the parking lot would be re-coated probably with asphalt; however, Ms. Raker stated that because fresh asphalt is very dark and can be very hot, the farmers have a concern, so alternatives would probably be considered.

Michael Young suggested the possibility of tar and gravel.

Ms. Raker stated that some planting areas would be delineated within the parking lot with standard curb and gutter, and trees and shrubs would be added in the parking areas. From the slides she indicated the locations for the plantings. The alignment of the sidewalks would not be changed.

Ms. Raker informed the Commission that Rowan Health & Fitness Center would continue to use the parking. She said that the Center has requested the installation of lighting so that when they have to park in the lower areas because of visitors to the market, the area would be illuminated.

In response to a question from Michael Young, Ms. Raker stated that the lighting would be like the lighting that has been used in the recent streetscape improvement areas – White metal halide.

He also asked if there would be a way to get through the landscaping without trampling it down. Ms. Raker indicated on the proposed plan, 2 passageways for cutting through from the street.

Clyde Overcash spoke in opposition to the lighting request. He requested, as an adjoining property owner, that the lights conform to the same lighting that is currently used downtown.

Ms. Raker stated that would come back to the next meeting with a scientific plan and diagram for the lighting.

There being no additional discussion, Kathy Walters made the following motion: “I move that the Commission find the following facts concerning application #H-19-04, that Lynn Raker, applicant for the city of Salisbury, owner of the southeast intersection of E. Bank St. and S. Main St., appeared before the Commission and sought a Certificate of Appropriateness to close 2 driveways on Main St. and the westernmost drive on E. Bank St., create a new driveway on S. Main St., improve the easternmost drive on E. Bank St., delineate parking and planting areas with new curb and gutter, landscaping to include trees, shrubs, and groundcover, add 3 decorative light posts, and recoat and stripe pavement; that Clyde Overcash appeared before the Commission to oppose this request; this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 4 – Site Features and District Setting – Parking and Paving, pages 57 and 58, guidelines 3 and 4; Chapter 4 – Site Features and District Setting – Landscaping, pages 59 and 60; guidelines 2 and 4; Chapter 4 – Site Features and District Setting – Lighting, pages 61, guidelines 1,2,4,5 and 6 of the Non-Residential Historic District Design Guidelines; therefore, I further move that a Certificate of Appropriateness for application #H-17-04 be granted to Lynn Raker, applicant for the city of Salisbury, owner of the southeast intersection of E. Bank St. and S. Main St., to make the changes detailed in the application with following changes – removal of request for the lighting.”

Mike Fuller seconded the motion.

H-18-04 **116 E. Council St.** – Robert A. Crum & Cherie L. Turner, owner – Certificate of Appropriateness for the existing 1st floor awning to be replaced and new awnings installed on the two 2nd story windows at the front of the building; the awnings will be canvas and striped with alternating colors matching the Burgundy door and Antique White trim

Robert Crum was sworn to give testimony for the request.

Staff showed slides.

Mr. Crum informed the Commission that he both lives and works at the location. He testified that he would like to add awnings to the 2nd floor windows, and change the existing lower awning to match the new one. He informed the Commission that the awning on the 2nd floor is needed to block out some of the light from street lighting and summer heat into the upstairs living quarters; also, to add some color and character to the front of the building.

He presented a sample of the awning which will be in a color scheme of Burgundy and Green stripes with a scalloped edge. The awning will come down halfway on the window.

In response to a question from Ronald Fleming, Mr. Crum stated the awning would not conflict with the fire-escape but would come down around the top of it.

There was no one present to speak in support or opposition to the request.

Michael Young made the following motion: “I move that the Commission find the following facts concerning application #H-18-04, that Robert A. Crum, owner of 116 E. Council St., appeared before the Commission and sought a Certificate of Appropriateness to replace the existing 1st floor awning, and install new awnings on the 2nd story windows on the front of the building; awnings will be Fancy Plum, Sunbrella style #4909; that no one appeared before the Commission to support or oppose the request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 4 – Site Features and District Setting – Signage and Awnings, pages 54-56, guidelines 1,2,3, and 5 of the Non-Residential Historic Design Guidelines, with no mitigating factors, I therefore, move that a Certificate of Appropriateness for application H-18-04 be granted to Robert Crum, owner of 116 E. Council St., to make the changes detailed in the application.”

Kathy Walters seconded the motion; all members present voted AYE.

H-19-04 217 S. Main St. – City of Salisbury, owner; Lynn Raker, applicant - Certificate of Appropriateness for addition of a 6-cubic yard dumpster in parking lot behind City Hall

Lynn Raker was sworn to give testimony for the request.

Staff presented slides.

Ms. Raker informed the Commission that she was representing the Solid Waste Management Division of the City of Salisbury in their proposal to place a 6-cubic yard dumpster in the parking lot behind City Hall.

Ms Raker testified that the Public Services Department responded to a need for a dumpster to service City Hall, Meroney Theater, Bench Warmers, Watkins’ office buildings and Santos. She stated that when the Meroney Theater expanded and put a ramp around their loading area it prevented the truck picking up the dumpster from maneuvering in the former space. The temporary solution of using roll-out bins is no longer feasible. The dumpster is to be located at the gate that passes through to the alleyway behind the Meroney Theater next to Santos Restaurant (former Beattie’s).

From the slides, she indicated the metal posts and the concrete pad that have already been placed at the site for the dumpster, and stated that Public Services at first did not realize that a Certificate of Appropriateness was needed.

She presented 2 different proposals for enclosure of the dumpster: (1) a chain link with diagonal slats matching the existing fence located behind the “Friendly Cue;” or (2) a screening made of 1” metal square pickets, (rather than wood) painted off-White to match the existing building. The pickets would match the fence that surrounds the existing generator.

Commission member, Mike Fuller, asked if consideration had been given to food products going into the dumpster and causing a negative odor for those persons who park in the City Hall parking lot.

Ms. Raker stated that she could only say that the dumpster would be collected early in the mornings, 3 days a week.

In response to a question from Michael Young, she stated that fence would be on 3 sides, and that the pass-through should be big enough to get a rolling cart through it. David Phillips stated that the space would be about half the size of a parking space. From the slides the location for the gate was shown.

Mark Perry stated that from his experiences with the use of dumpsters, there would definitely be an odor from it. He commented that there should be hose close by to wash it down often.

Ms. Raker stated that Public Services did look at other alternatives for picking up a smaller dumpster but the costs were prohibitive.

Clyde Overcash was present to speak in opposition to the request. He stated that he is charge of the garbage at the Meroney Theater, and also would have to look at the dumpster as he passes everyday from his property at 219 S. Lee St. Mr. Overcash reminded the Commission that the posts and pad, already installed, has not been approved. He further stated that the Meroney Theater is pleased with the roll-out system which they are now using.

He continued, noting that it would not be possible to bring trash through the small opening that would be left after the dumpster is placed and the fence attached to the posts; nor could it be handicap accessible.

In determining the guidelines that might state where a dumpster could be placed, David Phillips referred the members to page 27 of the Non-Residential Design Guidelines – Side and Rear Façade Guidelines – *Whenever introducing new utility or service features such as mechanical units and garbage receptacles, screen them from public view with fences, low walls, or landscaping.*

Michael Young made the following motion: “that we approve the application as presented, using the wrought iron gate with wood on 3 sides, and that the fence be re-aligned to allow passage of trash bins and pedestrians.”

Ms. Raker stated that it could probably be widened a foot or 2; however, because of the existing electrical vault located near the fence, it may not be possible to lower the curb, as needed. She also informed the members of a curb inlet that collects all of the run-off that could prevent placement of a ramp.

Mark Perry expressed his concern of a dumpster being placed at the proposed location. He said, “it is going to be a mess there- the smell never goes away and someone will be constantly picking up trash.” In addition, he stated, 3 or 4 parking spaces would be lost.

Charles Paul stated that the way the entire area is used, though in the rear of City Hall, it is just like the front. He said, “we would not approve a dumpster in the front.”

The Chair reminded the Commission of the motion on the table. Mark Perry seconded the motion.

With no additional discussion, Charles Paul called for a vote on the motion. The motion was denied 5-1.

Michael Young voted AYE. Members, Ronald Fleming, Jeff Sowers, Charles Paul, Mark Perry, and Kathy Walters voted NO.

H-20-04 100 W. Innes St., Suite 102 – City of Salisbury, owner; F & M Bank, applicant – Certificate of Appropriateness for up lighting on exterior of the building; fixture will be presented at the meeting

Paul Fisher, applicant was sworn to give testimony for the request.

Staff presented slides.

Mr. Fisher began by reminding the Commission of the previous approval of an ATM installation for the F & M banking facility to be located at the corner of N. Main and W. Innes St. where their signage is already located.

From the slides, Mr. Fisher indicated the location of their existing sign and testified that the proposal is that 3 light fixtures on each street side be located on the existing wood channel which is sufficient to mount the Black fixtures. He stated that the fixture should blend itself into the signage and not be seen, or at a small level in the daylight hours, and at the night when the lights are on, will expose the sign the same as is seen during the day. The light is to be soft and confined to the signage board.

He presented the light fixture that will be used, and pointed out that it does have a sheen that blends with the Black glass on the signage. The bulb is 35-watt.

Foster Owen, Manager of the Plaza, was present to speak in support of the request.

Ronald Fleming made the following motion: “I move that the Commission find the following facts concerning application #H-20-04, that Paul Fisher, representing the F & M Bank, applicant for the city of Salisbury, owner of 100 W. Innes St., appeared before the city of Salisbury and sought a Certificate of Appropriateness to install up-lighting on the exterior of the building, that Foster Owen appeared before the Commission to support this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation, and Chapter 4 – Site Features and District Settings – Lighting, page 61, guidelines 1-6 of the Non-Residential Historic District Design Guidelines, there are no mitigating factors; therefore, I move that a Certificate of Appropriateness for application #H-20-04 be granted to F & M Bank, applicant for the city of Salisbury, owner of 100 W. Innes St., to make the changes detailed in the application.”

Mike Fuller seconded the motion; all members present voted AYE.

Items for consideration from Janet Gapen

- New members - Janet Gapen informed the Commission that recommendations have sent to the City Council for the appointment of new members for the Commission.

- Nominating committee – Mike Fuller and Kathy Walters volunteered as members of the committee for recommendations for the election of Chair and Vice Chair for the Commission’s new fiscal year.
- Committee for application #H-11-04 – The minor works committee will work as a committee for any approvals regarding application H-11-04.

Amendments to the Guidelines

Janet informed the Commission that the text amendment for storm doors is completed. She stated that she is now in the process of doing background study for other text amendments that need to be made before calling a committee together. She will make contact, via email, in the forthcoming week for committee volunteers.

Establishment of new districts

Ms. Gapen reminded the Commission of the architectural survey that was done in 2001 which suggested 14 individual nominations, and recommended 8 additional new districts, and expansions to 8 of the current districts. She stated that because the recommendations were not prioritized it would be up to the Commission or a committee to help to determine how they should be prioritized.

Ms. Gapen explained also that when the consultants did the survey, a copy of the results that should have been forwarded to the State, for some reason was not. She said that the first step would be to get that information to the state for review, and she has a verbal commitment that the information would be hand-delivered to the State office during the next week. Once the review has been done, a consultant would come to Salisbury to look at the areas firsthand and then would be able to give some advice as to what areas to proceed with. At that time a committee from the Commission could be chosen.

Ms. Gapen further stated that representatives from 2 different neighborhoods have recently requested that the Commission proceed with nominations for their areas.

In response to a question from Michael Young, Ms. Gapen stated that the State does have a backlog of applications, so the next possible time that might be available would be the winter 2005.

Minor Works

There were no questions in reference to the minor work approvals submitted by David Phillips.

Minutes

The approval of the March minutes was deferred until the next meeting.

Adjournment

There being no other business to come before the Commission, the meeting was adjourned at 9:15 p.m.

Charles Paul, Chairman

Judy Jordan, Secretary

